



THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF LABOR
DIVISION OF OCCUPATIONAL SAFETY

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Commissioner

NOTICE

TO: Massachusetts City & Town Clerks

FROM: Heather Rowe, Manager, Employment Agency Program

DATE: December 28, 2005

RE: Licensure or Registration of Employment Agencies

The Massachusetts Division of Occupational Safety (DOS), Employment Agency Program, is reaching out to all Massachusetts City and Town Clerks to ensure employees within these departments are aware that any business that operates as an employment agency must be licensed or registered with the Commonwealth of Massachusetts by DOS. Agencies placing workers for a fee that do not have a license or registration are operating in violation of Massachusetts General Law c. 140, §§46A-46R.

In making City and Town Clerks aware of this requirement, it is our hope that you and your staff will notify any person or organization seeking a business certificate for an employment agency from your municipality, that they must contact DOS. No employment agency may lawfully operate without a license or registration from us. Our statute covers such businesses as:

- Nanny or babysitting agencies
- Domestic service agencies
- Modeling agencies
- Temporary or permanent employment placement agencies

Upon granting a license or registration, DOS has the authority to inspect the agency premises and to review agency records at any time. On-site inspections ensure employment agencies are complying with the law and protect the rights and paychecks of workers. Violators of this law may face civil and/or criminal penalties.

DOS is a resource to anyone who is currently operating or is seeking to start an employment agency within the Commonwealth. Your assistance in informing such business owners of their legal obligation to obtain a license or registration from DOS is greatly appreciated. Information about the Employment Agency Program can be obtained at: www.mass.gov/dos/ea/index.htm, or by calling 617.727.3696.